

Attorney Docket: 27280U

MAIL STOP PCT

*U.S. Department Of Commerce, Patent And Trademark Office		Date: 31 March 2006 (31.03.2006)
Transmittal Letter To The United States Designated/Elected Office (DO/EO/US) Concerning A Filing Under 35 U.S.C. 371		U.S. Application No.: (if known) Not Yet Assigned 10/574227
International Application No.: PCT/CH2004/000610	International Filing Date: 01 October 2004 (01.10.2004)	Priority Date Claimed: 01 October 2003 (01.10.2003) CH-1671/03
Title of Invention: METHOD FOR IN VITRO EVOLUTION OF POLYPEPTIDES		
Applicants for DO/EO/US: Bertschinger, Julian HEINIS, Christian		
<p>Applicant hereby submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:</p> <p>1. <input checked="" type="checkbox"/> This is a FIRST submission of items concerning a filing under 35 U.S.C. 371.</p> <p>2. <input type="checkbox"/> This is a SECOND or SUBSEQUENT submission of items concerning a filing under 35 U.S.C. 371.</p> <p>3. <input checked="" type="checkbox"/> This is an express request to begin national examination procedures (35 USC 371(f)). The submission must include items (5), (6), (9) and (21) indicated below.</p> <p>4. <input checked="" type="checkbox"/> The US has been elected (Article 31).</p> <p>5. <input checked="" type="checkbox"/> A copy of the International Application as filed (35 U.S.C. 371(c)(2)):</p> <ul style="list-style-type: none"> a. <input checked="" type="checkbox"/> is transmitted herewith (required only if not transmitted by the International Bureau). b. <input type="checkbox"/> has been communicated by the International Bureau. c. <input type="checkbox"/> is not required, as the application was filed in the United States Receiving Office (RO/US) <p>6. <input checked="" type="checkbox"/> A English translation of the International Application as filed (35 U.S.C. 371(c)(2)).</p> <p>7. <input checked="" type="checkbox"/> Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3))</p> <ul style="list-style-type: none"> a. <input type="checkbox"/> are attached hereto (required only if not transmitted by the International Bureau). b. <input type="checkbox"/> have been communicated by the International Bureau. c. <input type="checkbox"/> have not been made; however, the time limit for making such amendments has NOT expired. d. <input checked="" type="checkbox"/> have not been made and will not be made. <p>8. <input type="checkbox"/> An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).</p> <p>9. <input checked="" type="checkbox"/> An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)).</p> <p>10. <input type="checkbox"/> A translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).</p> <p>ITEMS 11 to 20 BELOW CONCERN OTHER DOCUMENT(S) OR INFORMATION INCLUDED:</p> <p>11. <input type="checkbox"/> An Information Disclosure Statement under 37 CFR 1.97 and 1.98.</p> <p>12. <input checked="" type="checkbox"/> An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included. The assignment is in favor of ETH ZÜRICH, Zurich, SWITZERLAND;</p> <p>13. <input checked="" type="checkbox"/> A FIRST preliminary amendment.</p> <p>14. <input type="checkbox"/> A SECOND or SUBSEQUENT preliminary amendment</p> <p>15. <input type="checkbox"/> A substitute specification.</p> <p>16. <input type="checkbox"/> A change of power of attorney and/or address letter.</p> <p>17. <input type="checkbox"/> A computer-readable form of the sequence listing in accordance with PCT Rule 13ter2 and 35 USC 1821 - 1825</p> <p>18. <input type="checkbox"/> A second copy of the published international application under 35 USC 154(d)(4)</p> <p>19. <input type="checkbox"/> A second copy of the English language translation of the international application under 35 USC 154(d)(4)</p> <p>20. <input checked="" type="checkbox"/> Other items or information: TRANSMITTAL LETTER; INTERNATIONAL PUBLICATION NUMBER: WO 2005/030957 A1, INTERNATIONAL PUBLICATION DATE: 7 APRIL 2005 (07.04.2005), WITH THE ENGLISH TRANSLATION CONSISTING OF 38 PAGES: 30 PAGES OF TEXTUAL SPECIFICATION, 3 PAGES OF CLAIMS, 0 PAGE OF THE ABSTRACT, 5 SHEETS OF DRAWINGS; PRELIMINARY AMENDMENT WITH ATTACHMENT A AND B TO BE EXAMINED; EXECUTED DECLARATION AND POWER OF ATTORNEY; ASSIGNMENT WITH RECORDATION COVER SHEET TO ETH ZÜRICH, ZURICH, SWITZERLAND; PCT/IPEA/416; PCT/IPEA409/ WITH A PATENT LITERATURE: CULL ET AL; XP 002043736; PCT/IPEA/408; PCT/IB/306 (NOTIFICATION OF THE RECORDING OF A CHANGE); PCT/ISA/210 (INTERNATIONAL SEARCH REPORT); PCT/ IPEA/237; PCT/IPEA/401; FORM PCT//RO/101; APPLICANT'S RESPONSE DATED DECEMBER 22, 2005 (GERMAN); APPLICANT'S RESPONSE TO WRITTEN OPINION DATED APRIL 6, 2005 (GERMAN); POSTCARD FOR EARLY NOTIFICATION OF THE SERIAL NUMBER REQUEST.</p>		

Attorney Docket: 27280U

MAIL STOP PCT

U.S. Application Number: (if known): Not Yet Assigned 101574227		International Application Number: PCT/CH2004/000610	Date: 31 March 2006 (31.03.2006)																																															
<p>The following fees are submitted:</p> <p>21. Basic National Fee (37 CFR 1.492(a)) \$ 300.00</p> <p>22. Examination Fee (37 CFR 1.492 (c)) If the written opinion prepared by ISA/US or the International Preliminary Examination report prepared by IPEA/US indicates all claims satisfy provisions of PCT Article 33(1)-(4) \$ 0.00</p> <p>All other situations \$ 200.00</p> <p>23. Search Fee (37 CFR 1.492(b)) If the written opinion of the ISA/US or the International Preliminary Examination report prepared by IPEA/US indicates all claims satisfy provisions of PCT Article 33(1)-(4) \$ 0.00</p> <p>Search fee (37 CFR 1.445(a)(2)) has been paid on the international application to the USPTO as an International Searching Authority \$ 100.00</p> <p>International Search Report prepared by an ISA other than the US and provided to the Office or previously communicated to the US by the IB \$ 400.00</p> <p>All other situations \$ 500.00</p> <p><u>I</u> Additional fee for specification and drawings filed in paper over 100 sheets (excluding Sequence listing or computer program listing filed in an electronic medium). The fee is \$ 250.00 for each additional 50 sheets of paper or fraction thereof.</p>		<u>CALCULATIONS</u>	<u>PTO USE ONLY</u>																																															
ENTER APPROPRIATE BASIC FEE AMOUNT =		\$ 900.00																																																
<p>Surcharge of \$130.00 for furnishing the oath or declaration later than <u>20</u> <u>30</u> months from the earliest claimed priority date (37 CFR 1.492(e)).</p>		\$ 0.00																																																
<table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="text-align: center; padding: 2px;">CLAIMS</th> <th style="text-align: center; padding: 2px;">NUMBER: FILED</th> <th style="text-align: center; padding: 2px;">NUMBER: EXTRA</th> <th style="text-align: center; padding: 2px;">RATE</th> <th style="text-align: center; padding: 2px;"></th> </tr> </thead> <tbody> <tr> <td style="padding: 2px;">TOTAL</td> <td style="padding: 2px;">19-20=</td> <td style="padding: 2px;">0</td> <td style="padding: 2px;">X \$ 50.00</td> <td style="padding: 2px;">\$ 0.00</td> </tr> <tr> <td style="padding: 2px;">INDEPENDENT</td> <td style="padding: 2px;">1-3=</td> <td style="padding: 2px;">0</td> <td style="padding: 2px;">X \$ 200.00</td> <td style="padding: 2px;">\$ 0.00</td> </tr> <tr> <td colspan="2" style="padding: 2px;">Multiple dependent claims(s) (if applicable)</td> <td style="padding: 2px;"></td> <td style="padding: 2px;">+ \$360.00</td> <td style="padding: 2px;">\$ 0.00</td> </tr> <tr> <td colspan="2" style="padding: 2px;"></td> <td style="padding: 2px;"></td> <td style="padding: 2px;">TOTAL OF ABOVE CALCULATIONS =</td> <td style="padding: 2px;">\$ 900.00</td> </tr> <tr> <td colspan="2" style="padding: 2px;">Reduction by 2 for asserting small entity, if applicable. (Note 37 CFR 1.9, 1.27, 1.28).</td> <td style="padding: 2px;"></td> <td style="padding: 2px;">SUBTOTAL =</td> <td style="padding: 2px;">\$ 450.00</td> </tr> <tr> <td colspan="2" style="padding: 2px;">Processing fee of \$130.00 for furnishing the English translation later than <u>20</u> <u>30</u> months from the earliest claimed priority date (37 CFR 1.492(f)). +</td> <td style="padding: 2px;"></td> <td style="padding: 2px;">TOTAL NATIONAL FEE =</td> <td style="padding: 2px;">\$ 450.00</td> </tr> <tr> <td colspan="2" style="padding: 2px;">Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property +</td> <td style="padding: 2px;"></td> <td style="padding: 2px;">TOTAL FEES ENCLOSED =</td> <td style="padding: 2px;">\$ 490.00</td> </tr> <tr> <td colspan="2"></td> <td style="text-align: center; vertical-align: bottom; padding: 2px;">Amount to be: refunded charged</td> <td style="text-align: center; vertical-align: bottom; padding: 2px;">\$</td> <td style="text-align: center; vertical-align: bottom; padding: 2px;">\$</td> </tr> </tbody> </table>				CLAIMS	NUMBER: FILED	NUMBER: EXTRA	RATE		TOTAL	19-20=	0	X \$ 50.00	\$ 0.00	INDEPENDENT	1-3=	0	X \$ 200.00	\$ 0.00	Multiple dependent claims(s) (if applicable)			+ \$360.00	\$ 0.00				TOTAL OF ABOVE CALCULATIONS =	\$ 900.00	Reduction by 2 for asserting small entity, if applicable. (Note 37 CFR 1.9, 1.27, 1.28).			SUBTOTAL =	\$ 450.00	Processing fee of \$130.00 for furnishing the English translation later than <u>20</u> <u>30</u> months from the earliest claimed priority date (37 CFR 1.492(f)). +			TOTAL NATIONAL FEE =	\$ 450.00	Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property +			TOTAL FEES ENCLOSED =	\$ 490.00			Amount to be: refunded charged	\$	\$		
CLAIMS	NUMBER: FILED	NUMBER: EXTRA	RATE																																															
TOTAL	19-20=	0	X \$ 50.00	\$ 0.00																																														
INDEPENDENT	1-3=	0	X \$ 200.00	\$ 0.00																																														
Multiple dependent claims(s) (if applicable)			+ \$360.00	\$ 0.00																																														
			TOTAL OF ABOVE CALCULATIONS =	\$ 900.00																																														
Reduction by 2 for asserting small entity, if applicable. (Note 37 CFR 1.9, 1.27, 1.28).			SUBTOTAL =	\$ 450.00																																														
Processing fee of \$130.00 for furnishing the English translation later than <u>20</u> <u>30</u> months from the earliest claimed priority date (37 CFR 1.492(f)). +			TOTAL NATIONAL FEE =	\$ 450.00																																														
Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property +			TOTAL FEES ENCLOSED =	\$ 490.00																																														
		Amount to be: refunded charged	\$	\$																																														

U.S. Application Number: (if known): Not Yet Assigned 10/574227	International Application Number: PCT/CH2004/000610	Date: 31 March 2006 (31.03.2006)
--	--	----------------------------------

- a. One check in the amount of \$ 490.00 to cover the above fees is enclosed.
- b. Please charge my Deposit Account Number: 14-0112 in the amount of \$ _____ to cover the above fees. (A duplicate copy of this sheet is enclosed.)
- c. The Commissioner is hereby authorized to charge any additional fees, which may be required, or credit any overpayment to Deposit Account Number: 14-0112.
- d. Fees are to be charged to a credit card WARNING: Information on this form may become public Credit Card Information should not be included on this form.
 Provide credit card information and authorization on PTO-2038

NOTE: Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed to request that the application be restored to pending status.

Send All Correspondence To:

Gary M. Nath
NATH & ASSOCIATES PLLC
 112 South West Street,
 Alexandria, VA 22314
 Tel: 1-703-548-6284
 Fax: 1-703-683-8396

Gary M. Nath, Reg. No. 26,965
 Tanya E. Harkins, Reg. No. 52,993
 Customer No. 20529

10/574227

MAILED PCT TO 31 MAR 2006

MAIL STOP PCT

Attorney Docket: 27280U

Date: March 31, 2006

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

BERTSCHINGER et al.

Serial No.: Not Yet Assigned

Filed: March 31, 2006

Internat'l. Appl. No.: PCT/CH2004/000610

Internat'l. Filing Date: 01 October 2004 (01.10.2004)

Title: **METHOD FOR IN VITRO EVOLUTION OF POLYPEPTIDES**

TRANSMITTAL LETTER

Commissioner for Patents

P.O. Box 1450

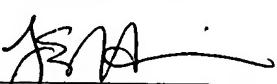
Alexandria, VA 22313-1450

Sir:

Submitted herewith for filing in the U.S. Patent and Trademark Office is the following:

- 1) Transmittal Letter;
- 2) Transmittal Letter to U.S. Designated/Elected Office (DO/EO/US) Concerning Filing under 35 U.S.C. 371;
- 3) International Publication Number: WO 2005/030957 A1; International Publication Date: 07 April 2005 (07.4.2005), with the English translation which consists of 38 pages:
 - 30 pages of Textual Specification,
 - 3 page of 19 Claims,
 - 5 sheets of Drawings;
- 4) Preliminary Amendment with Attachment A to be examined;
- 5) Executed Declaration and Power of Attorney;
- 6) Executed Assignment with Recordation Cover Sheet to ETH ZÜRICH, Zurich, SWITZERLAND;
- 7) PCT/IPEA/416;
- 8) PCT/IPEA/409 with a patent literature: Cull et al; XP 002043736;
- 9) PCT/IPEA/408;
- 10) PCT/IB/306 (Notification of the recording of a change);
- 11) PCT/ISA/210(International Search Report);
- 12) PCT/ISA/237;
- 13) PCT/IPEA/401;
- 14) Form PCT//RO/101;
- 15) Applicant's response dated December 22, 2005(German);
- 16) Applicant's response to written opinion dated April 6, 2005 (German);
- 17) Check No.: 1899 in the Amount of \$ 490.00 for the Basic Filing Fee, which includes the Search and Examination Fees (\$450), as a Small Entity, and the Fee for Recordation of the Assignment (\$40);
- 18) Postcard for Early Notification of the Serial Number Request.

Respectfully submitted,
NATH & ASSOCIATES PLLC

By: 

Gary M. Nath, Reg. No. 26,965
Tanya E. Harkins, Reg. No. 52,993
Customer No. 20529

NATH & ASSOCIATES PLLC
112 South West Street,
Alexandria, VA 22314
GMN/TEH/sw (NATLPHASE.APPLICATION)